



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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MEETING MINUTES:	<b>BOARD OF PROFESSIONAL LAND SURVEYORS</b>
DATE AND TIME:	<b>Thursday, January 19, 2012 at 8:30 a.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
APPROVED:	February 16, 2012

**MEMBERS PRESENT**

Michael Szymanski, Professional Member, Chair  
James Bielicki, Jr., Professional Member, Vice Chair  
Mary Chvostal, Public Member, Secretary  
Thomas Plummer, Professional Member  
Laurence McBride, Professional Member  
Mark Rosenthal, Public Member

**DIVISION STAFF**

Patty Davis-Oliva, Deputy Attorney General  
Sandra Wagner, Administrative Specialist III

**MEMBERS ABSENT**

None

**PUBLIC**

Dennis White  
James Collins, Director of the Division of Professional Regulation

**CALL TO ORDER**

Mr. Szymanski called the meeting to order at 8:31 a.m.

**Review and Approval of Minutes**

Mr. Bielicki made a motion, seconded by Mr. Rosenthal to approve the November 2011 minutes. The motion was unanimously approved.

**Unfinished Business**

Re-review of Dennis White Application

Mr. Bielicki re-reviewed the application for Exam for Mr. Dennis White. After review, Mr. White's experience is short 2 months under Boundary and Retracement (Field Experience). Mr. Bielicki made a motion, seconded by Mr. Rosenthal, to table Mr. White's application. Mr. White's application has been tabled so he can review the experience forms submitted by his supervisors and proceed accordingly. As the application stands now Mr. White has 57 months of Boundary and Retracement (Field Experience) and he needs a total of 59. The motion was unanimously approved.

#### Rules and Regulations Hearing

Hearing minutes are at the bottom of the minutes.

#### **NEW BUSINESS**

Mr. Szymanski made an amendment to the agenda to add the Election of Officers.

#### Elections of Officers

Mr. Rosenthal made a motion, seconded by Mr. McBride, to keep the same officers for 2012 as was elected in 2011. The Officers are Mr. Szymanski as Chair, Mr. Bielicki as Vice Chair, and Ms. Chvostal as Secretary. The motion was unanimously approved.

#### Letter from Mr. Marvel

Mr. Marvel submitted a letter to the Board along with a certificate showing the PDHs that were owed for his 2011 renewal. Mr. Szymanski acknowledged the letter to the Board. No action needed.

#### Courses for Continuing Education Approval

Mr. Plummer reviewed the information received from Stephen Johns for PDHs and recommended approval. Mr. Plummer made a motion, seconded by Mr. McBride, to approve National Business Institute's Title Workshop: From Examination to Commitment for **6.0 PDHs**. The motion carried with Mr. McBride abstaining.

Mr. Plummer reviewed the applications from New Jersey Society of Professional Land Surveyors-2012 33<sup>rd</sup> Surveyor's Conference and Exhibition for PDHs and recommended approval. Mr. Plummer made a motion, seconded by Mr. McBride, to approve Analytical Methods in GIS for **4 PDHs**, AutoCAD Civil 3D Survey Essentials for **4 PDHs**, Basic Logic for Land Surveyors and Engineers for **4 PDHs**, Charm School for Professional Engineers and Surveyors for **4 PDHs**, Communications Skills for Surveyors & Engineers for **4 PDHs**, Comparative Ethics for **4 PDHs in Ethics**, Development of the Horizontal & Vertical Geodetic Datum's of US for **4.0 PDHs**, GPS 202 Dealing w/Field Conditions to Obtain Accurate Position for **4 PDHs**, GPS-101 A Look at How We Obtain Accurate Positions for the Satellites for **4 PDHs**, How the States Got Their Shapes for **4 PDHs**, Laser Scanning 101 – Fundamentals & Applications for **4 PDHs**, Monumental Surveyors-Surveyors in monumental Carvings for **4 PDHs**, NA2011 – Better Positions & Improved Access to the NSRS for **4 PDHs**, New Jersey Tidelands Claims for **4 PDHs**, Proposal Writing-An Art & a Science for **4 PDHs**, Protecting Your Practice-Contracts for Land Surveyors for **4 PDHs**, Railroad Surveying 101 for **8 PDHs**, Recognizing, Analyzing & Solving Out-Land-ish Boundaries – requesting 8 PDHs, Survey Cost Analysis for Surveying & Engineering Projects for **4 PDHs**, Surveyor's Library: Resources for the Well Read Professional for **4 PDHs**, Tax Map Integration into GIS – requesting 4 PDHs, The Interfacing between Land Surveyors & Engineers for Design for **4 PDHs**, The National Geodetic Survey Toolkit: OPUS Improvements for **4**

**PDHs**, The Newest Letter of Map Change: The FEMA eLOMA for **4 PDHs**, The Surveyor's Library: Afternoon Session for **4 PDHs**, Thinking Beyond Technology for **4 PDHs**, Uncertainties & Quality Issues in GIS for **4 PDHs**, What an Amberg Trolley Can Really Do! for **4 PDHs**, and You know It As TDS Survey Pro for **8 PDHs**. The motion was unanimously approved.

Mr. Plummer reviewed the information received from Michael Ray for PDHs regarding South Carolina Surveyors Continuing Education Conference & Trade Show and recommended approval. Mr. Plummer made a motion, seconded by Mr. McBride; to approve ALTA/ACSM Land Title Surveys-The New 2011 Minimum Standards for **7.5 PDHs**, Ethics in Surveying Cost Analysis and Proposals for **7.5 PDHs & 2 PDHs in Ethics**, Water Wars & Parish Boundary Dispute for **7.5 PDHs**, FEMA Updates, Elevation Certificates and the NFIP for **7.5 PDHs**, SC Easements and Rights of Way for **7.5 PDHs**, Forensic Surveying for **7.5 PDHs**, Live Demonstration of Photogrammetry & Remote Sensing Using Unmanned Aerial Vehicles (AM) and Tidal Wetlands, Critical Lines, Non-Jurisdictional Freshwater Wetlands, Docks (PM) for **7.5 PDHs**, and Corps of Engineers Regulatory Program for Wetland Delineations, Jurisdictional Determinations and More for **3.75 PDHs AM or PM**. The motion was unanimously approved.

Mr. Plummer reviewed the application from Michael Ray for PDHs regarding the Florida Surveying & Mapping Society- 2012 Education Conference for PDHs and recommended approval. Mr. Plummer made a motion, seconded by Mr. McBride, to approve 3D Laser Scanning for **3 PDHs**, 5J-17 Minimum Technical Standards (MTS) for **6 PDHs**, Copyright Laws for **3 PDHs**, GIS Date Management for **6 PDHs**, Grid to Ground for **3 PDHs**, New National Datums for **3 PDHs**, Plat Law for **6 PDHs**, Professional Ethics for the PSM for **3 PDHs in Ethics**, The Personal Library: An Important Tool for the Surveying & Mapping Professional for **6 PDHs**, The Surveyor and Lidar System Technology for **3 PDHs**, and Trees of Northern Florida for **6 PDHs**. The motion was unanimously approved.

#### Review of Applications for Examination

##### Eric D. Yost

Mr. Bielicki reviewed the application from Mr. Eric Yost.

Mr. Bielicki made a motion, seconded by Mr. Plummer, to table Mr. Yost's application. Ms. Wagner will notify Mr. Yost that he can either supply additional verification of 10 years experience or apply as a survey intern using his Pennsylvania certification as long as he can supply the Board with the subsequent 4 years of responsible charge required. The motion was unanimously approved.

#### Review of Application for Reciprocity

##### Pamela L. Matthews

Mr. Bielicki reviewed the application from Ms. Pamela Matthews.

Mr. Bielicki made a motion; seconded by Mr. McBride, to approve Ms. Matthews' application and grant approval to sit for the Delaware Drainage & Jurisprudence Examination. The motion was unanimously approved.

#### Ratification of Issuance of Land Surveying Certificates of Authorization

After discussion, Mr. McBride made a motion, seconded by Mr. Rosenthal, to ratify the application of certificate of authorization for Axiom Engineering, LLC. The motion was unanimously approved.

Complaint Assignments

There were no new complaint assignments.

Complaint Status

There were no new complaints for November.

Hearings/Consent Agreements/Board Orders

Rules and Regulations Hearing minutes follow the regular minutes. No Consent Agreements or Board Orders to sign for January.

Closed Complaints

There were no complaints closed in November.

Wall Certificates

Mr. Szymanski and Ms. Chvostal signed the wall certificate for Mr. James D. Sens.

Audit Compliance Update

Audits were reviewed at the January Board meeting. Mr. Bielicki made a motion, seconded by Mr. McBride to accept the audit documentation of which was not signed and sealed, but other wise acceptable with notification to those licensees that in the future the documentation must have the proper seal and signature. The motion was unanimously approved. Ms. Chvostal made a motion, seconded by Mr. Rosenthal, to accept all audits, except the audits outlined by the Board Chair Mr. Szymanski and Ms. Wagner. The motion was unanimously approved.

Executive Session

There was no Executive Session for January.

**OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)**

Mr. Szymanski asked the Board if they wanted to pursue having a workshop to discuss possible proposed legislation. The Board had a discussion about the workshop and what it would entail. The Board decided to hold the workshop and invite stakeholders. Ms. Wagner will work on getting the Workshop scheduled and to get notification out to the stakeholders.

**PUBLIC COMMENT**

There was no public comment for January's meeting.

**NEXT MEETING**

The next scheduled meeting of the Board is February 16, 2012 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**ADJOURNMENT**

There being no further business before the Board, Ms. Chvostal made a motion, seconded by Mr. Bielicki, to adjourn the meeting at 12:13 p.m. The motion was unanimously approved.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Sandra Wagner".

Sandra Wagner  
Administrative Specialist III

## **HEARING MINUTES**

The Delaware Board of Professional Land Surveyors held a hearing on January 19, 2012 at 9:00 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, Delaware.

**PRESENT:** Michael Szymanski, James Bielicki, Larry McBride, Thomas Plummer, Mary Chvostal, and Mark Rosenthal

**RECUSED:**

**EXCUSED:**

**PURPOSE:** Rules and Regulations Hearing for 12.0

**PRESIDING:** Michael Szymanski, Presiding Chair

**BOARD STAFF:** Sandra Wagner, Administrative Specialist III

**DEPUTY ATTORNEY GENERAL FOR THE BOARD:** Patricia Davis-Oliva, DAG.

**DEPUTY ATTORNEY GENERAL FOR THE STATE:**

**RESPONDENT:** Public

**COUNSEL FOR THE RESPONDENT:**

**WITNESSES FOR THE STATE:**

**WITNESSES FOR THE RESPONDENT:**

**COURT REPORTER PRESENT:** Lorena Hartnett, Wilcox and Fetzer

**TIME STARTED:** 9:00 a.m.

The court reporter took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing. Ms. Davis-Oliva entered States exhibits 1, 2 and 3. The Board went off the record for deliberations at 9:01 a.m. The Board went back on the record at 9:05 a.m. Ms. Chvostal made a motion, seconded by McBride, to approve the changes as posted in the papers on December 1, 2011. The motion was unanimously approved. Hearing concluded at 9:10 p.m.